

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P08261WO	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/051192	International filing date (day/month/year) 22.06.2004	Priority date (day/month/year) 25.06.2003	
International Patent Classification (IPC) or national classification and IPC H04L12/56			
<p>Applicant SIEMENS AKTIENGESELLSCHAFT</p>			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>1</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table> <tbody> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </tbody> </table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/051192

Box No. I	Basis of the report
<p>1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b)) <input type="checkbox"/> publication of the international application (Rule 12.4) <input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p> <p>2. With regard to the elements of the international application, this report is based on (<i>replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report</i>):</p> <p><input type="checkbox"/> the international application as originally filed/furnished <input checked="" type="checkbox"/> the description: pages <u>1-8</u> as originally filed/furnished pages* _____ received by this Authority on _____ pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims: nos. <u>2-4, 6-8</u> as originally filed/furnished nos.* _____ as amended (together with any statement) under Article 19 nos.* <u>1, 5</u> received by this Authority on <u>02.12.2005 by fax</u> nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings: sheets <u>1/2-2/2</u> as originally filed/furnished sheets* _____ received by this Authority on _____ sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p> <p>3. <input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____ <input type="checkbox"/> the claims, nos. _____ <input type="checkbox"/> the drawings, sheets/figs _____ <input type="checkbox"/> the sequence listing (<i>specify</i>): _____ <input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> <p>4. <input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____ <input type="checkbox"/> the claims, nos. _____ <input type="checkbox"/> the drawings, sheets/figs _____ <input type="checkbox"/> the sequence listing (<i>specify</i>): _____ <input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>	

* If item 4 applies, some or all of those sheets may be marked "superseded."

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International application No.	PCT/EP2004/051192
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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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1. Statement

Novelty (N)	Claims <u>1-8</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims <u>1-8</u>	YES
	Claims _____	NO
Industrial applicability (IA)	Claims <u>1-8</u>	YES
	Claims _____	NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following document:

D1: US2002/0045453 (Juttner et al.) 18 April 2002
(2002-04-18)

- 1 Document D1 is considered the prior art closest to the subject matter of claim 1 and discloses a method for determining a path in a communications system, in which the path minimises a cost function. This is implemented in that a first path search with minimum costs and a first delay is executed and a second path search with a minimum delay and second costs is executed, one of the two paths being selected according to boundary restrictions.

The subject matter of claim 1 thus differs from that known from D1 in that the information of the routing protocol is evaluated in the network nodes by at least two different path search procedures, a specific path search procedure being selected for each target network node, the result of which is stored in the routing table.

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Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

The subject matter of claim 1 is thus novel (PCT Article 33(2)).

The present invention can therefore be considered to address the problem of being able to determine an optimum path using a specific path search procedure for each target node.

No other document discloses the characterising properties of claim 1 and therefore the subject matter of claim 1 involves an inventive step (PCT Article 33(3)).

- 2 The same arguments apply to independent claim 5, which concerns the corresponding network nodes.
- 3 Claims 2-4 and 6-8 are dependent on claims 1 and 5 and therefore likewise meet the PCT requirements for novelty and inventive step.